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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,369	09/30/2003	Kazuhiro Ishiguchi	243176US2	4331

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EXAMINER

LIVEDALEN, BRIAN J

ART UNIT	PAPER NUMBER
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2878

DATE MAILED: 09/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

31

Office Action Summary	Application No. 10/673,369	Applicant(s) ISHIGUCHI, KAZUHIRO	
	Examiner Brian J. Livedalen	Art Unit 2878	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 13 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5,6,11 and 15-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5,6,11 and 15-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>8/31/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/13/2006 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 5, 6, 11, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto et al. (2001/0008395) in view of Pashley et al. (6127783).

In regard to claims 1, 11, 17, and 18, Yamamoto discloses (fig. 7) a display device having a light source unit (11) including a light source; a display panel (fig. 1, 1) for displaying images by controlling light emitted by the light source unit; temperature control means (5, 7, 8) for keeping the light source at a constant temperature (page 4, paragraphs 0060, 0061); a light detector (2R, RG, 2B) for detecting a plurality of different wavelengths of light (page 4, paragraph 0059). Yamamoto remains silent regarding the light source being made of a plurality of light source elements for emitting

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different wavelengths of light and a light mixer for mixing the light emitted by the plurality of light source elements. However, Pashley discloses (fig. 2) a light source unit having a light source being made of a plurality of light source elements (10, 12, 14) for emitting different wavelengths of light and a light mixer (20) for mixing the light emitted by the plurality of light source elements (column 2, lines 45-54). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the light source and mixer of Pashley in order to allow the user to set the unit to emit light of different chromaticities (column 1, lines 45-65). Yamamoto in view of Pashley further discloses in Yamamoto, a light source control means (4) for controlling luminance of each of the plurality of light source elements kept at a constant temperature by the temperature control means, based on values detected by the light detector so that the light source unit has substantially constant chromaticity (page 4, paragraph 0059).

In regard to claim 2, Yamamoto discloses the light source control means controls luminance of each of the plurality of light source elements so that each detected value in the wavelength range approaches a given value (page 4, paragraph 0059).

In regard to claim 3, Yamamoto further discloses (fig. 7) a temperature detector (12) for detecting temperature of the light source, and Konagaya discloses that the temperature controller operates so that a value detected by the temperature detector approaches a given value (page 4, paragraph 0060).

In regard to claim 5, Yamamoto further discloses a temperature detector (12) for detecting temperature of the light source and that the temperature controller changes a temperature value to be maintained in the light source based on a temperature value

detected by the detector (page 4, paragraphs 0060, 0061), and the light source controller controls the light source elements to have luminance corresponding to the temperature to be maintained (page 4, paragraphs 0059 - 0061).

In regard to claim 6, Yamamoto in view of Pashley discloses in Pashley a light source unit with wherein the light source has a plurality of light source elements emitting light with wavelengths corresponding to each of N number of colors (column 2, lines 45-54) and discloses in Yamamoto a light detector comprising N number of optical sensors corresponding to each of N number of colors (page 4, paragraph 0059); and the light source control means controls each of the plurality of light source elements so that each value detected by the N number of optical sensors approaches each given value.

Claims 15, 16, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto et al. (2001/0008395) in view of Pashley et al. (6127783) as applied to claims 1, 11, 17, and 18, and in further view of Bennett (5406172).

In regard to claims 15, 16, 19, and 20, Yamamoto in view of Pashley discloses a display unit and light source with temperature control means. Yamamoto in view of Pashley fails to disclose the temperature control means being a heating device. However, Bennett discloses a light source that has a heating device (36) which controls the temperature of the light source (abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a heating device to more quickly and accurately maintain the temperature of the light sources.

Response to Arguments

Applicant's arguments with respect to claims 1-3, 5, 6, 11, and 15-20 have been considered but are moot in view of the new ground(s) of rejection.

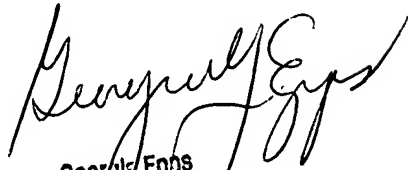
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Livedalen whose telephone number is (571) 272-2715. The examiner can normally be reached on 8:30 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Epps can be reached on (571) 272-2328. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

bjl


Georgia Epps
Senior Patent Examiner
EBC